

Manuel ramos
#37563-053
U.S. Penitentiary
P.O. BOX 7000
Florence, CO. 81226
Plaintiff, pro se

ORIGINAL

(35)
6-27-02
SC

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED
HARRISBURG, PA

JUN 26 2002

MARY E. D'ANDREA, CLERK
Per [Signature] Deputy Clerk

MANUEL RAMOS
Plaintiff,

v.

Margaret Harden, Warden;
The United States; Dr. Peter
Terhaar, et al.
Defendants

Smyser

Civil No. 1-CV-00-1957

Plaintiff's Response to Defendant's
Request for Production of Documents

COMES NOW Plaintiff, Manuel Ramos, pro se, who will provide Defendants or their representatives all the documents he has that they have requested. The date must be arranged by Defendants with United States Penitentiary, Florence, Colorado. Mr. Ramos does not speak English nor can he read or write in that language. He is from Columbia and speaks Spanish. Accordingly, a Spanish speaking person must be in attendance. Secondly, if Defendants intend to ask Ramos any questions, an independent attorney should be provided for Mr. Ramos. Plaintiff has a friend who has been helping him prepare these pleadings. His name is Paul Free, Inmate No. 42235-198, who, if he is still in USP Florence when defendants arrive, would be pleased to assist provided arrangements are first made with the prison authorities as he is familiar with the documents and papers related to this claim.

Defendants filed a list, nine paragraphs detailing the documents they request. The following is a point by point analysis detailing what Plaintiff has in his possession he would be most happy to provide.

DOCUMENTS

1. Defendants request: "Any and all statements concerning the incident from all witnesses, including any statements from the parties herein or their respective agents, servants or employees."

REPLY: Plaintiff has no witness statements but hopes to once he has an attorney. Plaintiff is a federal inmate and has no access to such things at this time.

Any and all statements Plaintiff has made regarding the incident have been filed with the courts or the Bureau of Prisons and are available from those venues. Plaintiff has no access, or less than Defendants themselves.

2. Defendant's request: Any and all medical records..."

REPLY: Plaintiff has in his possession letters and records from:

Bloomsburg Orthopedics Bloomsburg, PA 12-07-2000

Plaintiff to U.S. Dept. of Justice 3-15-1999

U.S.D.C. Dist. Columbia 10-20-2000

Fed.B. of Prisons re:Tort #T-WXR-99-38 March 29, 1999

Plaintiff to BOP, Admin remedy, to complain that Plaintiff has repeatedly requested a copy of his medical file but has been refused. 3-31-1999

Report of Operation, Bloomsburg Hospital 1-07-1999

Report, Maximo Velasco supervisor Lewisburg (USP) 02-09-98

Report of Dr. Sumant Rawat M.D. Pueblo, CO. 05-11-2000

"Patient complains of numbness,,,"

Plaintiff to BOP requesting copy of medical records that his family has also requested to no avail 5-10-2000

Northeast Regional Office, BOP, re Tort

U.S. Medical Center for Federal Prisoners, Springfield, Missouri. ORTHOPEDIC SURGERY CONSULTATION- Diagnosis, Examination, Impression, History (part I and II missing); History part III, Physical Examination, Impression, Plans, by Kevin J. Kelly P.A.C. and Dr. Thomas E. O'Hare, D.O. May 24, 2000 and Preliminary Report June 12, 2000.

Approximately 20 pages of miscellaneous reports that do not appear related to this case.

3. Defendants request: "Any and all bills or receipts..."

REPLY: Ramos is a federal inmate, all bills and receipts would be in the possession of the federal government (BOP). Ramos has repeatedly requested his medical files and has been refused.

4. Defendants request: "Reports of any and all experts who will testify

at trial on your behalf."

REPLY: Plaintiff must confer with an attorney to make a list of those who will testify and is unable, at this time, to do so himself.

5. Defendant's Request: "All reports, statements or other documents prepared by any non-experts who will testify at trial."

REPLY: Plaintiff, through Discovery and appointed counsel, will have experts and non-experts testify, but, as in 4 above, must have counsel research and interview witnesses as Plaintiff, being a federal inmate, is unable to do so himself.

6, 7, 8, 9, "Any reports, medical records, writings, notes, documents, hospital records..."

REPLY: Plaintiff has compiled a list, at 2 above, detailing all reports and records he now has. Plaintiff expects to have much more after counsel conducts interviews, acquires reports, statements and records, etc.

Respectfully submitted under penalty of perjury and signed this 18th Day of June in the year 2002.

Plaintiff's signature: Mr. RAMOS

Manuel Ramos

CERTIFICATE OF SERVICE

I certify that a copy of the forgoing Plaintiff's Response to Defendant's Request for Production of Documents was mailed, postage prepaid, by placing same in U.S. Mail at the U.S. prison's "Legal Mail" mail box to: Saba, Endler & Associates, Suite 100 Park Bldg., 400 Third Ave., Kingston, PA. 18704-5816 and copies to the U.S. District Court for the Middle District of Pennsylvania on the 18th day of June, 2002.

Plaintiff's signature: Mr. RAMOS

Manuel Ramos